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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,759	02/24/2004	Lai-O Kang	IK-0079	2216
34610	7590	06/27/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			PAPE, ZACHARY	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/784,759

Applicant(s)

KANG, LAI-O

Examiner

Zachary M. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-25 and 27-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-3, 5-18, 20, 27, 28, 30 and 31 is/are allowed.
- 6) ☐ Claim(s) 22-25 and 33 is/are rejected.
- 7) ☐ Claim(s) 19, 21, 29, 31 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 60132005.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 19 recites the limitation, "the keeper" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 29 recites the limitation, "the passage hole" and "the recess" in lines 5 and 8 respectively. There is insufficient antecedent basis for this limitation in the claim.

Additionally in claim 29, it appears that the word phrase, "wherein an upper surface of the passage hole are configured" should be changed to read, "wherein an upper surface of the passage hole is configured".

Claim 24 recites the limitation, "the keeper" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. It appears that the claim language (On line 4 of claim 21) should be changed to read, for example, "wherein the inclined surface of the passage hole comprises an upper surface having front and rear ends configured to have inclined surfaces, respectively".

Claim 32 recites the limitation, "a catching protrusion", in line 32. It appears that it should read, "the catching protrusion".

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the passage hole inclined surface (Of claim 13) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Additionally the drawings must show the display surface and keyboard on the second body.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 24, the word "means" is preceded by the word(s) "for protruding vertically..." in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967). It appears that the language should be changed such that the "means for" is omitted. As an example, the statement could be rephrased to say, "a catch protruding vertically from one side of a keeper with an inclined surface". Similarly line 12 could read, "a press portion protruding horizontally from the other side of the engagement means".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22, 23, & 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsu et al. (US 6,707,665). With respect to claim 22, Hsu teaches a method of latching a portable computer (1) having a first body (3) rotatably coupled (Via 5) to one side of a main body (2), wherein the first body has a first surface (314) adjacent to the main body in a first closed position and an opposite surface (315) adjacent to the main body in a second closed position of the portable computer (Fig 2, as illustrated when the first body is closed or parallel to the second body, the screen side (314) faces the main body, and the opposite side (315) faces up), the method comprising: providing a bi-directional latch (42) in a through hole (Comprising slots 316 and 317 and therebetween) of the first body to latch the first body to the main body in the closed positions (As illustrated in Fig 11); releasing an engagement catch (214) of the main body from a first engagement protrusion (423) of the bi-directional latch in the first closed position (As illustrated in Fig 12, the engagement catch (214) is released from the first engagement protrusion (423) when the button (412) is pressed); pressing the first engagement protrusion to position a second engagement protrusion (424) of the bi-directional latch (The user could press upon (423) in order to prepare the other engagement protrusion (424) for use when the display is rotated and latched opposite as shown in Figs 9-12); release the first engagement protrusion and moving the first body to the second closed position (By rotating about hinge (5)) to latch the second engagement protrusion (424) in the engagement catch (214) wherein the first and second engagement protrusions extend from opposite sides of the first body (As illustrated in Fig 6).

With respect to claim 23, Hsu et al. further teaches a method of latching a portable computer (1) having a first body (3) rotatably coupled to one side of a main body (2, via hinge 5), wherein the first body has a first surface (314) adjacent to the main body in a first closed position (Wherein the display is facing the keyboard) and an opposite surface (315) adjacent to the main body in a second closed position of the portable computer, the method comprising: providing a bi-directional latch (42) in the first body to latch the first body to the main body in the closed positions (As illustrated in Fig 11); releasing an engagement catch (214) of the main body from a first engagement protrusion (423) of the bi-directional latch in the first closed position (Via pressing button 412 to release the first engagement protrusion (423) from the catch (214) as illustrated in Fig 12); moving the first body to the second closed position (Via hinge 5, the display is rotated 180 degrees and then pressed down toward the main body); and pressing the first engagement protrusion (413) to latch a second engagement protrusion of the bi-directional latch in the engagement catch (The user could press upon the first engagement protrusion (423) in order to slide the second engagement catch (424) into place), wherein the first and second engagement protrusions extend from opposite sides of the first body (As illustrated in Fig 6).

With respect to claim 33, Hsu further teaches that pressing the first engagement protrusion (424) completes the transition from an unlatched condition (As illustrated in Fig 9) to a latched condition between the first and main body (As illustrated in Fig 11), and wherein the first and second engagement protrusions extend from opposite sides of the first body and ends of the bi-directional latch (As illustrated in Fig 6; as explained

above in claim 23, the user could press upon the first engagement protrusion (424) to facilitate latching of the first and second bodies).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24, 25, ~~33~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of Murphy (US 6,068,307). With respect to claim 24, Hsu teaches an electronic apparatus, comprising: a first body (3) formed with a passage hole extending through one side portion (316); latching means (42) for latching mounted in the passage hole of the first body (As illustrated in Figs 3 and 4) having a frame with a pair of engagement protrusions (423, 424) that protrude on opposite sides in first and second portions respectively (As illustrated in Fig 6); a second body (2) rotatably coupled to the first body (Via 5) and having a recess (317) on one surface thereof; and engaging means (213, 214) for engaging the latching means (42) mounted in the recess of the second body. Hsu fails to teach that the engaging means comprises a catch for protruding vertically from one side of a keeper with an inclined surface, and a press portion protruding horizontally from the other side of the engagement means. Murphy (In fig 11) teaches the use of an electronic device containing a latching system with an engaging means comprising a catch (321) protruding vertically from one side of a

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keeper (Generally 319) with an inclined surface (321), and a press portion (318) for protruding horizontally from the other side of the engagement means. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the engagement means of Murphy with the bi-directional latching system of Hsu et al. to provide an alternate equivalent means of attaching the latch of the first body (3) to the recess in the second body (2). Utilizing the closure system of Murphy would benefit the system of Hsu in that it would reduce the number of working parts and therefore reduce the chances of the system failing or operating incorrectly. Further it less costly and easier to assemble a latching system comprising less parts.

With respect to claim 25, Hsu further teaches that in a closed position (As illustrated in Hsu Fig 11) the first body (3) is adjacent the second body (2) and one of the engagement protrusions (423, 424) extends into the recess.

Response to Arguments

6. Applicant's arguments filed 4/26/2005 have been fully considered but they are not persuasive. With respect to applicants arguments concerning claim 23, as disclosed above, Hsu et al. teaches that a portable computer includes a first moving body (3) capable of rotating about 5 and closing in a second position wherein the display is facing upward away from the keyboard. Hsu further teaches the use of first (423) and second (424) engagement protrusions. When the first moving body (3) is configured to have the display facing upward (I.E. away from the keyboard), the first engagement protrusion (423) is also flush with the top of the display, if not protruding upward. At this

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point, in order to completely secure the two bodies, the user must apply some force to the outside of face 314, which **could include** pressing upon hole 316 which would include pressing upon the first engagement member (423). Additionally, as disclosed in the rejection above, Hsu further teaches that the latch has two engagement protrusions (423, 424).

Allowable Subject Matter

7. Claims 1-3, 5-21 and 27-30 are allowed for the reasons set forth in the previous office action.

Claims 1-3, and 5-12 were allowed as stated in the previous office action.

Claims 13-21, 27-30 are allowed since the applicant has placed the allowable subject matter of claim 21 into independent claims 13 and 29.

Claims 31 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claim 31 now incorporates the allowable subject matter of previous allowable claim 21.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP

A handwritten signature in black ink, appearing to read 'A. Vortman', with a long horizontal line extending to the right towards the printed name.

ANATOLY VORTMAN
PRIMARY EXAMINER